



TEN

Docket No.: 240151US40

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313



ATTORNEYS AT LAW

RICHARD D. KELLY
(703) 412-6241
RKELLY@OBLON.COM

AKIHIRO YAMAZAKI
(703) 413-3000
AYAMAZAKI@OBLON.COM
*BAR OTHER THAN VIRGINIA

RE: Application Serial No.: 10/618,019

Applicants: Noriyuki UNNO, et al.

Filing Date: July 14, 2003

For: IN-VEHICLE OCCUPANT IMAGE PICKUP
APPARATUS

Group Art Unit: 2621

Examiner: LEE, Y YOUNG

SIR:

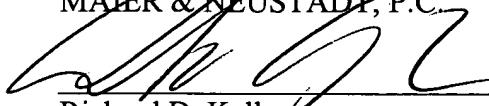
Attached hereto for filing are the following papers:

Provisional Election

Our check in the amount of **\$0.00** is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.


Richard D. Kelly

Registration No. 27,757

Customer Number

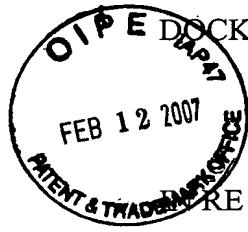
22850

(703) 413-3000 (phone)

(703) 413-2220 (fax)

I:\ATTY\AKY\24S\240151\240151US_CV ELE.DOC

Akihiro Yamazaki
Registration No. 46,155



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

RE APPLICATION OF

NORIYUKI UNNO, ET AL.

:

EXAMINER: LEE, Y YOUNG

SERIAL NO: 10/618,019

:

FILED: JULY 14, 2003

: GROUP ART UNIT: 2621

FOR: IN-VEHICLE OCCUPANT IMAGE
PICKUP APPARATUS

:

PROVISIONAL ELECTION

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the Election of Species Requirement stated in the Official Action dated January 12, 2007, Applicants provisionally elect Species 1, Claims 1, 2 and 5.

Applicants respectfully traverse the outstanding election requirement for following reasons.

First, the outstanding Office Action simply provides a conclusory statement that "Claims 1-5 show 3 mutually exclusive embodiments," and omits any statement or basis for finding the Claims "mutually exclusive."

However, MPEP §808.01 states the following:

The particular reasons relied on by the examiner for holding that the inventions as claimed are either independent or distinct should be concisely stated. A mere statement of conclusion is inadequate. The reasons upon which the conclusion is based should be given.